



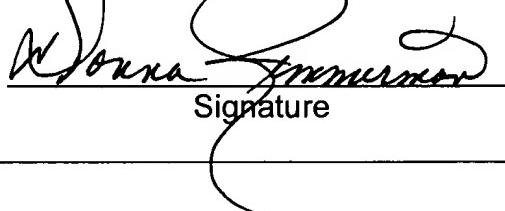
DAC 1648
S

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christine D. Krempl, et al.
Serial No.: 09/887,469
Filing Date: June 22, 2001
Title: Respiratory Syncytial Virus Vaccines Expressing Protective Antigens From Promoter-Proximal Genes
Attorney Docket No.: 2303-32-3

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of December, 2003.


Signature

Enclosures:

Petition to Accept Unintentionally Delayed Claim for Priority

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Check No. 21341 in the amount of \$1,330.00

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OFFICE OF PETITIONS



DOCKET NO.: 2303-32-3

PATENT #19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christine D. Krempl et al.

Serial No.: 09/887,469

Group Art Unit: 1648

Filing Date: June 22, 2001

Examiner: Stacy Chen

For: RESPIRATORY SYNCYTIAL VIRUS VACCINES EXPRESSING
PROTECTIVE ANTIGENS FROM PROMOTER-PROXIMAL GENES

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OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED
CLAIM FOR PRIORITY**

Applicants hereby petition the Commissioner to accept an unintentionally delayed claim for priority under 35 U.S.C. § 120 in the above-referenced application.

The claim for priority was previously presented in an Amendment/Response filed in the application on August 20, 2003. This claim provided the appropriate reference to the prior-filed application(s) as required under 35 U.S.C. § 120 and paragraph (a)(2) of 37 CFR § 1.78.

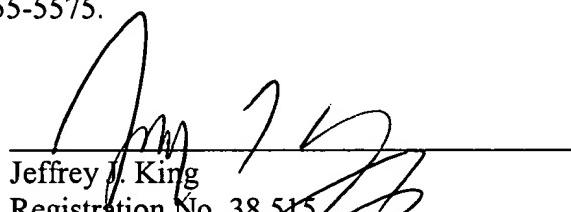
The entire delay between the date the priority claim was due (October 22, 2001) and the date the claim was actually presented (August 20, 2003) was unintentional.

A check in the amount of the appropriate surcharge of \$1,330.00, as set forth in 37 CFR § 1.17(t), accompanies this Petition. The Office is authorized to charge any underpayment or credit any overpayment relating to this Petition to Deposit Account No. 07/1897

CONCLUSION

In view of the foregoing, Applicants believe they have satisfied all of the requirements of CRF 1.78(a)(3)(i-iii), and therefore respectfully request that the priority claim and Specification be amended in accordance with Applicants' Amendment/Response filed with the Office on August 20, 2003. The issuance of a formal Notice of Allowance at an early date is earnestly solicited. If the Examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at (425) 455-5575.

Date: December 4, 2003


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